## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

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Date:			07-Apr-07	APPL. S. N:	10655698				
To Examiner:			WONG, ALLEN	Art Unit	2621				
From			Logan, Rugenia PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68				
SUBJEC	<b>T:</b> Decision	on on Termina	l Disclaimer(T.D.) filed:						
form par or have a	agraphs i any quest	dentified by tl ions, please s	his informal memo in your next ee me or the Special Program E	esults as set forth below. If you ag Office action to notify applicant of xaminer. THIS IS AN INFORMAL, I RECORD IN THE APPLICATION FII	the T.D. If you disagree NTERNAL MEMO ONLY.				
please in	nitial, date	and return th	nis memo to me. THANK YOU.						
<u>  ~   </u>	The T.D.	T.D. is PROPER and has been recorded (see 14.23).							
Γ	The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):								
	The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account  The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).  The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).								
	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a term portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).  The person who signed the T.D.:								
		is n	ot an attorney "of record" (see	14.29 and 14.29.01).					
		f has	failed to state his/her capacity	to sign for the business entity (see	2 14.28).				
		[ is n	ot recognized as an officer of th	e assignee (see 14.29 & possible 1	14.29.02).				
	Ĺ.	No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).							
	r	The T.D. is not signed (see 14.26 & 14.26.03).							
patenting r The serial r			mber of the application (or the ection is missing or incorrect (se	number of the patent) which forms se 14.32).	s the basis for the double				
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
	_	The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).							
	<u> </u>	Other:			-				
		Suggestion to	o request refund (see 14.36). No heck this item.	OTE: If already authorized, credit i	refund to deposit account				
I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.									
Ex.Initial	ls:	Dat	e:		Log Date:				

Application Number	10/655,698	Application/Control No.		Applicant(s)/Patent under Reexamination VISCITO ET AL.				
Document Code - DISQ		Internal Doc		cument – DO NOT MAIL				
TERMINAL DISCLAIMER	⊠ APPROV			☐ DISAPPROVED				
Date Filed : March 23, 2007	This patent is subject to a Terminal Disclaimer							
Approved/Disapproved by:								
Henry D. Jefferson								

U.S. Patent and Trademark Office

PTC/SB/25(10-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket Number (Optional) 02CON382P-CIP

In re Application of: Viscito, et al.

Application No.: 10/655,698

RECEIVED CENTRAL FIX CENTER

Filed: September 5, 2003

For: HYPOTHETICAL REFERENCE DECODER WITH LOW START-UP DELAYS FOR COMPRESSED IMAGE AND VIDEO

MAR 2 3 2007

The owner\*, Conexant Systems, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/600,163, filed on June 19, 2003, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the Instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature

2. X The undersigned is an attorney or agent of recorp

Farshad Farjami, Esq., Reg. No. 41,014 Typed or printed name

Terminal discialmer fee under 37 CFR 1.20 (d) is included.

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on this amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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